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December 4, 1997

Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M St., N.W.
Washington, D.C. 20554

**Re: CC Docket No. 94-54: Federal-State Joint Board on
Universal Service**

Dear Ms. Salas:

On behalf of the American Samoa Government, I am enclosing Executive Order No. 13-1997, adopted on December 1, 1997 by the Governor of American Samoa, who, in the absence of a telecommunications regulatory commission, is the official of the American Samoa Government with regulatory jurisdiction over telecommunications carriers. In that Executive Order, the Governor designates the American Samoa Office of Communications as an "eligible telecommunications carrier" pursuant to Sections 214 and 254 of the Communications Act.

Please contact me if you have any questions.

Respectfully submitted,



David L. Sieradzki
Counsel to the American Samoa
Government

Enclosures

cc: Sheryl Todd, Universal Service Branch, CCB
Cheryl Leanza, Universal Service Branch, CCB
Universal Service Administrative Company

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OFFICE OF THE GOVERNOR

American Samoa Government
Pago Pago, American Samoa 96799

TAUESE P.F. SUNIA,
Governor

TOGIOLA T.A. TULAFONO,
Lt. Governor

Telephone: (684) 633-4116
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EXECUTIVE ORDER NO. 13 1997

DESIGNATION OF ELIGIBLE TELECOMMUNICATIONS CARRIER

Section 1: Authority

This Executive Order is issued under the authority granted in Article IV, Section 6 of the American Samoa Revised Constitution, Title 4, Chapter 01, Section 0111(b) of the American Samoa Code, and sections 3, 214, and 254 of the federal Communications Act of 1934, as amended (the "Communications Act").

Section 2: Purpose

Sections 3 and 214 of the Communications Act authorize the commission or official with regulatory jurisdiction over communications carriers in each State and Territory to designate certain common carriers as "eligible telecommunications carriers" for purposes of receiving federal universal service support. 47 U.S.C. §§153 (40) (41), 214 (e) (2). In the absence of a telecommunications regulatory commission, the Governor is the official of the American Samoa Government with regulatory jurisdiction over telecommunications carriers.

Section 3: Findings

I find that the American Samoa Office of Communications ("ASOC") meets the qualifications for an "eligible telecommunications carrier" as defined in section 214 of the Communications Act. 47 U.S.C. §214 (e) (1). In particular, I find that:

- (a) ASOC is a "common carrier" as defined in section 3 of the Communications act. 47 U.S.C. §153 (10);

- (b) ASOC offers the services that are supported by federal universal support mechanisms in accordance with section 214 of the Communications Act (47 U.S.C. §214 (3) (1) (A) and as specified in section 54.101 of the pertinent regulations of the Federal Communications Commission (47 C.F.R. §54.101);
- (c) ASOC advertises the availability of such services and the charges therefore using media of general distribution in accordance with section 214 of the Communications Act. 47 U.S.C. §214 (d) (1) (B); and
- (d) Designation of ASOC as an "eligible telecommunications carrier" for the receipt of federal universal service support will serve the public interest.


Section 4: Designation

The American Samoa Office of Communications is hereby designated as an "eligible telecommunications carrier" under section 214 of the Communications Act for the receipt of federal universal service support.

Section 5: Effective Date

This Executive Order shall be effective immediately upon signing.

Dated: 12-1-97


TAUESE P.F. SUNIA
Governor of American Samoa

Distribution:

As per standard list